Regd. No. M.—1175.

The Mysore Gazette

Vol. 73.] PUBLISHED BY AUTHORITY. [No. 22.

BANGALORE, THURSDAY, JUNE 2, 1938.

PART IV.

Legislative Measures and Rules thereunder.

NOTIFICATIONS.

No. T. 3877—*R. T.* 10-37-41, *dated Bangalore, the* 30*th May* 1938.

In exercise of the powers conferred on them by Section 11 of the Mysore Motor Vehicles Act, 1928, the Government of His Highness the Maharaja are pleased to issue the following amendment to the Mysore Motor Vehicles Rules, 1924, as amended from time to time, the draft in the said behalf having already been published with Notification No. T. 3292—R. T. 10-37-34, dated 12th April 1938 in Part IV of the *Mysore Gazette*, dated 21st April 1938.

Amendment.

In Rule 9 of the Mysore Motor Vehicles Rules, 1924, as amended from time to time, the words 'and $\frac{\text{MYS}}{\text{A}}$' be added to indicate the register number exceeding 4 digits of motor vehicles registered in Mysore State.

The rule after amendment will read as follows:—

"9. The distinguishing letters for registration of motor vehicles under these rules shall be MYS. and MYS/A."

By Order,
C. SUBRAHMANYA AIYAR,
Ag. *Secretary to Government,*
General Department.

554

No. D. 9017—Geol. 55-37-7, dated Bangalore, the 30th—31st May 1938.

In exercise of the powers conferred by Section 4 of the Mysore Explosives Act No. II of 1888, the Government of His Highness the Maharaja of Mysore are pleased to make the following amendment to condition 7 (2) of License Form 'B', Mysore Explosives Rules:—

Condition 7 (2) of License Form 'B':—

For the word "Fifty" the word "Hundred" shall be substituted.

By Order,

M. VENKATANARANAPPA,
Secretary to Government,
Development Department.

No. G. 9606—P. H. 44-37-23, dated Bangalore, the 31st May 1938.

Under Section 20 of the Mysore Prevention of Adulteration Act, IX of 1921, as amended from time to time, Government propose to make the rules issued in Notification No. G. 2463—Sani. 61-30-7, dated 22nd September 1931 (annexed hereto) applicable to the Magadi Town Municipality. Any objections to this proposal, if made in writing and received on or before 1st July 1938, will be duly considered.

By Order,

P. H. KRISHNA RAO,
Secretary to Government,
Local Self-Government Department.

Rules under the Mysore Prevention of Adulteration Act.

1. In these rules, "Act" means the Mysore Prevention of Adulteration Act, IX of 1921.

"Section" means section of the above Act.

Section 3.—

2. The officer to whom the local executive officer may delegate his powers shall be of the rank of a Health

Rules under the ... 1921

Officer or shall hold the diploma of Public Health. No legal proceedings under the Act shall be instituted without the permission in writing of the President or the Commissioner, as the case may be.

Section 20 (*b*).—

3. The area within which the local executive officer of a Municipal Council shall exercise powers shall be the Municipal limits of the place.

Section 20 (*c*).—

4. *Cleanliness of Vessels.*—All vessels, receptacles or utensils used for manufacturing or preparing food or containing any food intended for sale shall be cleansed with clean boiling water before and after use and shall be kept in a constant state of cleanliness. In case of food likely to be acted upon by the metal of the vessels, receptacles or utensils in which the food is manufactured, prepared or contained for purposes of sale, precautions shall be taken to prevent such metallic contamination.

Section 20 (*d*).—

5. *How notice of Admixture, Addition or Deficiency shall be given.*—If the vendor of any article intended for food knows that it is admixed with any foreign substance whatsoever or that any component part has been abstracted therefrom, he shall give due notice of such admixture or abstraction by means of distinct and clear labels in Kannada or in any other language likely to be read and understood by the people, affixed conspicuously on each package or receptacle containing the article. Unless the vendor of any food containing an admixture, addition or deficiency, knows of his own knowledge, that the purchaser is able to read and understand the label, he shall give the purchaser the information contained in the label by word of mouth at the time of purchase.

Section 20 (*e*).—

6. The standards of purity prescribed for milk, cream, butter and ghee are as follows :—

Milk.—

Cow's Milk.—(1) Where a sample of cow's milk (not being sold as skimmed or separated milk), contains less

than three per cent of milk-fat, it shall be presumed for the purposes of this Act, until the contrary be proved, that the milk is not genuine, by reason of the abstraction therefrom of milk-fat or the addition thereto of water.

(2) When a sample of cow's milk or any skimmed or separated cow's milk contains less than 8·5 per cent of milk-solids other than milk-fat, it shall be presumed for the purposes of this Act, until the contrary be proved that the milk is not genuine by reason of the addition thereto of water.

(3) When a sample of cow's milk, whether sold as cow's milk or as skimmed or separated cow's milk, contains less than 0·5 per cent of nitrogen, it shall be presumed for the purposes of this Act, until the contrary be proved, that the milk is not genuine by reason of the addition thereto of water.

Buffalo Milk.—(4) Where a sample of buffalo milk (not being sold as skimmed or separated milk), contains less than 4·5 per cent of milk-fat, it shall be presumed for the purposes of this Act, until the contrary be proved, that the milk is not genuine by reason of the abstraction therefrom of milk-fat or the addition thereto of water.

(5) Where a sample of buffalo milk, whether sold as buffalo milk, or as skimmed or separated buffalo milk, contains less than nine per cent of milk-solids other than milk-fat, it shall be presumed for the purposes of this Act, until the contrary be proved, that the sample is not genuine by reason of the addition thereto of water.

(6) Where a sample of buffalo milk, whether sold as buffalo milk or as skimmed or separated buffalo milk, contains less than 0·53 per cent of nitrogen, it shall be presumed for the purposes of this Act, until the contrary be proved, that the sample is not genuine by reason of the addition thereto of water.

N. B.—The minimum limits for nitrogen prescribed above under (3) and (6) are intended to be used in those cases in which a sample of milk when it is analysed, is so far decomposed that an estimation of the proportion of milk-solids other than milk-fat in the sample before decomposition will be unreliable, the proportion of nitrogen not being appreciably affected by decomposition.

Unspecified Milk.—(7) Where a sample of milk, separated milk or skimmed milk, is sold or offered for sale

or hawked about, without any indication as to whether it is derived from the cow or the buffalo and by comparison with the minimum limits given for the cow's milk in the above, it appears to be adulterated, it shall be presumed for the purposes of this Act, until the contrary be proved, that the sample is not genuine for the reason given in the above rule or rules which are applicable.

Maximum limit for Dirt in Milk.—(8) Where a sample of milk separated or skimmed milk, deposits, on standing for a period of 24 hours or less, an amount of visible sediment exceeding five parts per 100,000 (both milk and sediment being measured by volume), it shall be presumed for the purposes of this Act, until the contrary be proved, that the sample is not genuine by reason of its containing an excessive amount of dirt.

Cream.—(9) Where a sample of cream contains less than 20 per cent of milk-fat, it shall be presumed for the purposes of this Act, until the contrary be proved, that the sample is not genuine.

Butter.—(10) Where the proportion of water in a sample of butter exceeds 20 per cent, it shall be presumed for the purposes of this Act, until the contrary be proved, that the butter is not genuine by reason of the excessive amount of water therein.

Ghee.—(11) Where the proportion of water in a sample of ghee exceeds one per cent, it shall be presumed for the purposes of this Act, until the contrary be proved, that the ghee is not genuine by reason of the excessive amount of water therein.

Section 20 (*f*).—

7. (1) No person shall add water or any dried or condensed milk or any fluid reconstituted therefrom or any skimmed milk or separated milk to milk intended for sale, and no person shall, by himself or by any servant or agent, sell or offer for sale or hawk about, any milk to which any such addition has been made.

(2) No person shall abstract any ingredient from milk, without giving due notice of the same, in an unambiguous manner, of the fact of such abstraction therefrom, as prescribed in rules under Section 20 (*d*).

(3) No person either by himself or any servant or agent, shall sell or offer for sale or hawk about, as milk,

any liquid in the making of which dried milk or condensed milk has been used or to which water or other diluent or adulterant has been added or from which any ingredient has been abstracted, without due notice of the same to the purchaser as prescribed in rule under Section 20 (*d*).

Section 20 (*g*).—

8. Any receptacle containing dried, condensed, skimmed or separated milk shall be labelled with an adhesive label which shall contain the information and be of the size indicated below. The information shall be in black type, printed or written in the centre of the label, which shall be of white colour. Nothing else shall be printed or written on the label, except the name of the article. The label shall be clearly visible to the purchaser and shall measure at least 2″×4″ where only Kannada is used or at least 4″×4″ where more than one language is employed.

Section 20 (*h*).—

9. (1) Any person taking a sample of milk for the purposes of this Act may add a preservative for the purpose of retaining the sample in a condition convenient for analytical purposes.

(2) The preservative used shall be the liquid commonly known as "formalin" which is a liquid containing about 40 per cent of formaldehyde in aqueous solution.

(3) The amount of preservative added ahall be approximately in proportion of one drop of formalin for every 2 oz. of the sample of milk.

(4) Each sample of milk to which formalin has been added by the person taking the sample shall bear a notification on the label to the effect that it has been "artificially preserved."

(5) For the purposes of this rule, milk includes skimmed and separated milk.

10. *Penalty for breach of Rules.*—Every manufacturer or dealer or vendor who—(*a*) disobeys, fails to comply with or acts in contravention of the provisions made under Rule 4 herein, in respect of cleanliness of vessels, receptacles or utensils used for manufacturing, preparing or containing any food intended for sale, or (*b*) neglects to affix labels to notify in the manner prescribed, the fact of

the admixture of foreign ingredients in the case of adulterated articles of food or abstraction of any component part therefrom of any article of food, or (*c*) fails to give the purchaser, in cases mentioned in Rule 5, information contained in such labels by word of mouth at the time of purchase, or (*d*) manufactures, deals in or sells milk, cream, butter or ghee below the standard prescribed in Rule 6 above shall, on conviction before a magistrate, be punished with a fine not exceeding Rs. 50 and with a fine which may extend to Rs. 50 for every subsequent offence.

No. G. 9603—P. H. 44-37-22, dated, Bangalore the 31st May 1938.

Under Section 1 (2) of the Mysore Prevention of Adulteration Act, IX of 1921, as amended from time to time, Government are pleased to extend the provisions of the said Act to Magadi Town Municipality, in respect of milk (cow's and buffalo's), ghee and butter.

By Order,

P. H. KRISHNA RAO,
Secretary to Government,
Local Self-Government Department.

No. P. 6825, dated 1st June 1938.

In exercise of the powers conferred by section 20 of the Mysore Extradition Act VI of 1938, the Government of His Highness the Maharaja of Mysore are pleased to make the following rules; namely :—

[SUB-SECTION 2 (b).]

1. In any proceedings against any person under the provisions of the Mysore Extradition Act VI of 1938, or of any extradition arrangements for the extradition of offenders, the magistrate, acting in such proceedings and any police officer authorised to arrest such person under the provisions of the said Act or of such extradition arrangements may exercise in any place in Mysore in

respect of any property in the possession of such person or of any other person which appears to such magistrate or police officer to have been the subject of or to be required for proof of the offence in respect of which the proceedings are being taken, the powers respectively of a court and of an officer in charge of a police station under the Code of Criminal Procedure, 1904, as if such property were property the production of which is necessary for the purposes of any investigation or trial under the said Code by or before such Court or officer, and the provisions of the said code, so far as they can be made applicable, shall apply to any summons or warrant issued in pursuance of this Rule and to any search made under the authority of any warrant so issued and to the disposal of any property seized in any such search.

2. Such magistrate may send such property to the Provincial Government or the State to which such person is surrendered and shall have, in respect of any such property produced before him in such proceedings or returned by the aforesaid States all the powers of disposal vested in a Court under the Code of Criminal Procedure, 1904, in respect of any property produced before it during any inquiry or trial.

[SUB-SECTION 2(*d*).]

3. Warrants, depositions or statements on oath which purport to have been issued, received or taken by any Court of Justice outside the Mysore State, or copies thereof, and certificates of, or judicial documents stating the fact of, conviction before any such court, shall be deemed duly authenticated;

(*a*) if the warrant purports to be signed by a Judge, Magistrate or Officer, of the State or Provincial Governments in British India where the same was issued or acting in or for such State or Provincial Government;

(*b*) if the depositions or statements or copies thereof purport to be certified, under the hand of a Judge, Magistrate or Officer of the State or Provincial Government where the same were taken, or acting in or for such State or Provincial Government to be the original depositions or statements or to be true copies thereof, as the case may require;

(*c*) if the certificate of, or judicial document stating the fact of a conviction purports to be certified by a

Judge, Magistrate or Officer of the State or Province where the conviction took place or acting in or for such State or Provincial Government;

(*d*) if the warrants, depositions, statements, copies, certificates and judicial documents, as the case may be, are authenticated by oath of some witness or by the official seal of a Minister of the State or Provincial Government where the same were respectively issued, taken or given.

[SUB-SECTION 2(*e*).]

4. The District Magistrates in British India or the Chief Presidency Magistrates in any Presidency Towns in British India and the Political Agents of the States shall be the authorities whose requisitions may be acted upon under this Act.

[SUB-SECTION 2(*f*).]

5. All communications in matters of extradition, between this State and other Indian States or between this Government and any Provincial Government in British India shall pass through the Mysore Residency.

By Order,
H. V. RAMASVAMI,
Offg. *Chief Secretary to Government.*

Printed by the Superintendent at the Government Press, Bangalore.